IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA)	
) Case No. 3:93CR000	10
V.) ORDER	
OBED RAHEEM HOYTE,) By: James P. Jones	т 1
Defendant.) United States District)	Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the defendant's Motion for Declaratory Judgment (ECF No. 413) is CONSTRUED as a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 and is DENIED as successive, and the § 2255 action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: March 13, 2014

/s/ James P. Jones

United States District Judge